



02-10-09

USPTO
PATENT
AND TRADEMARK OFFICEIN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 97-022-F3)

2009 FEB 11 PM 5:40

In re Application of:

R. Terry Dunlay, et al.

Serial No: 09/718,770

Filed: November 22, 2000

Title: A System for Cell-Based Screening

Examiner: Smith, Carolyn L.

Group Art Unit: 1631

Confirmation No.: 5398

RECEIVED

FEB 17 2009

OFFICE OF PETITIONS

TRANSMITTAL LETTER

With respect to the above identified application:

1. We are transmitting herewith the attached:

Transmittal Letter (in dup.) (1 sheet);
 Loss of Small Entity and Payment of Issue Fee at Large Entity Rate (1 sheet); and
 Return Postcard.

2. With respect to fees:

A check in the amount of \$755.00 is enclosed.

3. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.

4. **CERTIFICATE OF MAILING UNDER 37 CFR § 1.10:** The undersigned hereby certifies that this Transmittal Letter and the papers, as described herein-above, are being deposited with the United States Postal Service with sufficient postage as "Express Mail Post Office to Addressee" in an envelope addressed to: Mail Stop: AMENDMENT, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on this 9th day of February, 2009. Express Mail No. **EV839401810US**.

Respectfully Submitted,
McDonnell Boehnen Hulbert & Berghoff LLP

By

Isadora F. Bielsky, Ph.D.
Reg. No. 60,748

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LOSS OF SMALL ENTITY AND PAYMENT OF ISSUE FEE AT LARGE
ENTITY RATE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants wish to inform the Patent Office of the loss of small entity status in the above referenced application. Applicant's representative mistakenly did not note the loss of small entity status on the issue fee payment filed February 3, 2009 and mistakenly paid an issue fee of \$755.00, the small entity rate, at that time. In order to rectify the error, Applicants submit herewith another \$755.00 for a total issue fee payment of \$1510.00, the large entity rate and submit this notice of loss of small entity status. This paper is being filed before the issue fee due date. If the Patent Office has any questions, please contact the undersigned representative at 312-913-0001.

Respectfully submitted,
McDonnell Boehnen Hulbert & Berghoff, Ltd.

Date: February 9, 2009

Isadora F. Bielsky
Isadora F. Bielsky, Ph.D.
Registration No. 60,748